

find support in the description on page 2, in the second full paragraph under the heading “Summary of the Invention”.

The Examiner rejected claim 6 under 35 U.S.C. §112 ¶1, stating that the specification failed to disclose coupling means which couple an optical signal from an optical fiber couple a 90° polarized rotated optical signal back into the optical fiber. Applicants have canceled claim 6, thus Applicants urge that this rejection is now moot. Reconsideration and withdrawal of this rejection are respectfully requested.

The Examiner rejected claims 1-5 and 7-13 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,574,595 (Kurata, *et al.*).

Applicants respectfully traverse this rejection.

In order for a reference to anticipate a claim under §102, that reference must disclose every claimed limitation of the claim, either explicitly, or under the principle of inherency. Applicants’ independent claims 1, 7, and 13, as amended, recite that the birefringement element consists of a single birefringement material. The amended claims thus distinguish over Kurata, which discloses an optical device that uses at least two different birefringement materials and therefore at least two different birefringement elements. Kurata does not disclose or contemplate the use of a birefringement element consisting of a single birefringement material, as conceded by the Examiner. Since Kurata does not disclose or support all of the elements of Applicants’ amended claims 1, 7, and 13, Kurata does not anticipate or render obvious these claims. Reconsideration and withdrawal of these rejections are respectfully requested.

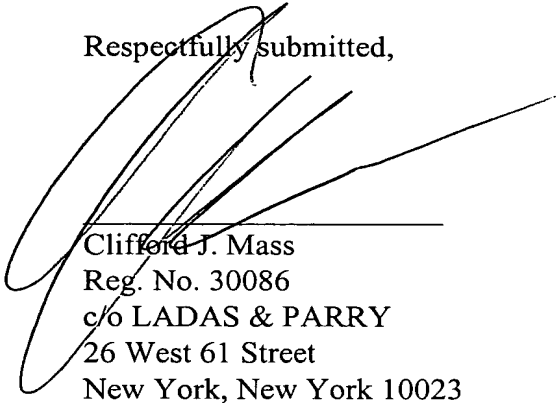
Claims 2-5 and 8-12 depend upon, respectively, independent claims 1 and 7, and are thus patentable for the same reasons as those claims. Reconsideration and withdrawal of these rejections are respectfully requested.

#### CONCLUSION

Applicant urges that claims 1- 5 and 7-13 are in condition for allowance. Early and

favorable action is earnestly solicited. If the Examiner believes that issues can be resolved through a telephone interview, the Examiner is urged to call the undersigned at the telephone number listed below.

Respectfully submitted,



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1. (Once amended) An optical device for producing a polarisation rotation of an optical signal, the device comprising:

a birefringent element consisting of a single birefringent material for, in use, splitting the optical signal into two orthogonal polarisation component signals;

a polarisation rotating means for, in use, rotating each polarisation component signal by a predetermined amount, and wherein the device is arranged in a manner such that, in use, the two rotated polarisation component signals are being combined by way of the birefringent material for providing the predetermined polarisation rotated optical signal.

6. (Deleted)

7. (Once amended) A method for producing a predetermined polarisation rotations of an optical signal, the method comprising the steps of:

(a) splitting the optical signal into two orthogonal polarisation component signals utilising a birefringent element consisting of a single birefringent material;

(b) rotating each polarisation component signal by nominally predetermined polarisation rotation utilising a polarisation rotation means; and

(c) combining the two rotated polarisation component signals utilising the birefringent material.

13. (Once amended) An optical telecommunications system including an optical device for producing a polarisation rotation of an optical signal transmitted by said system, the device comprising:

a birefringent element consisting of a single birefringent material for, in use, splitting the optical signal into two orthogonal polarisation component signals;

a polarisation rotating means for, in use, rotating each polarisation component signal by a predetermined amount, and wherein the device is arranged in a manner such that, in use, the two rotated polarisation component signals are being combined by way of the birefringent material for providing the predetermined polarisation rotated optical signal.